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# Appeal Decision

Site visit made on 30 August 2016

**by Daniel Hartley MTP MBA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 01 September 2016**

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## **Appeal Ref: APP/L3245/W/16/3152245**

### **Circassian, Preston Gubbals Road, Bomere Heath, Shrewsbury SY4 3LT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms A Clegg against the decision of Shropshire Council.
  - The application Ref 16/00458/FUL, dated 3 February 2016, was refused by notice dated 25 April 2016.
  - The development proposed is the erection of a detached bungalow following demolition of garaging, porch and dining room of an existing dwelling.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matter**

2. The planning application was amended part way through the Council's determination of the planning application. I have determined this appeal in accordance with the amended plans submitted to the Council. Such plans were before the Council when it made its decision and in essence reduced the amount of proposed development on the site.

### **Main Issue**

3. The main issue is the effect of the proposal upon the character and appearance of the area.

### **Reasons**

#### *Site and proposal*

4. The appeal site falls within an established residential area and includes a bungalow (known as Circassian) which appears to have been extended to the side to include two garage spaces, a porch and a dining room. In the immediate locality, the majority of the dwellings are bungalows which are set within large plots, set back from the main road and including hedgerow planting. The area includes mature planting which adds to the verdant character of the locality, and, overall, there is a sense of open and green space around the buildings. These are distinctive characteristics of the area which positively add to the sense of place.
5. It is proposed to demolish the development to the side of the existing dwelling and to erect a three bedroom bungalow. Two car parking spaces would be

provided to the front of each dwelling utilising the existing access from Preston Gubbals Road.

*Character and appearance*

6. I acknowledge that there is already single storey development to the side of Circassian. However, this is set well back from the front elevation of the bungalow and is lower in height than the original dwelling. Consequently, it appears subservient in scale, and, overall, a sense of space is maintained around the building and within the plot when viewed from the street-scene.
7. In contrast, the proposed bungalow would be similar in height to Circassian and would be built in parallel with the front and side walls of this existing property. Given the scale and position of the proposed bungalow, I consider that it would unacceptably diminish the sense of space within the plot and between buildings on Preston Gubbals Road, to the detriment of the character and appearance of the area. This adverse impact would be compounded by the fact that more vehicles would be forced to park close to the main road. Collectively, these issues are of such magnitude that I consider that the development would appear cramped and out of place.
8. Whilst I note that the bungalows would each have reasonably sized gardens to the rear, this does not overcome my concerns raised above. For the reasons outlined above, I conclude that the proposal would have a significantly adverse impact upon the character and appearance of the area. Therefore, the proposal would not accord with the design aims of the National Planning Policy Framework; Policy CS6 of the Shropshire Local Development Framework Adopted Core Strategy 2011; Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan 2015, and guidance contained with the Shropshire Local Development Framework "Type and Affordability of Housing" Supplementary Planning Document 2012.

**Other Matters**

9. The appellant asserts that the proposal would enhance the appearance of the site and that approval of planning permission would enable improvements to be made to Circassian, including new fencing. However, I have concluded that significant harm would be caused to the character and appearance of the area. Improvements to the wider site, including new fencing, would not justify approval of planning permission.
10. The Council has agreed (notwithstanding its local policies) that it is no longer a requirement to provide an affordable housing contribution for one dwelling on this site. I agree with this stance, taking into account the Court of Appeal's judgment of 11 May 2016, and the greater weight to be given to the Secretary of State's Written Ministerial Statement of 28 November 2014.
11. None of the other matters raised outweigh my conclusions on the main issue.

**Conclusion**

12. For the above reasons, and taking into account all other comments made, I conclude that the appeal should be dismissed.

*Daniel Hartley*

INSPECTOR